

# Revised COVID-19 FAQ for Allied Health Practitioners

October 2021

**Background:** In early 2020, WorkPlacePLUS developed an FAQ for OTA members and associates in response to questions and concerns around providing face-to-face services to clients during the COVID-19 pandemic. This revised document includes new information to address current questions and concerns, such as mandating COVID-19 vaccinations in the workforce.

**Important Disclaimer:** Some of this content in this document is time sensitive and may be subject to future updates and changes. The following advice is general in nature and **cannot** be considered as blanket advice. The employment arrangements for each individual workplace are unique and must be assessed on a case-by-case basis. In addition, the rules may vary depending on your state or territory.

**1. I am an allied health worker employed by a medium sized practice. My direct manager still requires me to come into the practice, but I don't want to do face-to face work. Do I have to come in to work?**

While the rules may vary depending on your state or territory, the Australian Department of Health advises that allied health practitioners can still provide face-to-face services. If your organisation complies with COVID-safe requirements and/or restrictions as directed by your State or Territory, then **YES**, your manager can reasonably direct you to attend work.

If you feel uncomfortable attending the work site, or seeing clients face-to-face, this is your personal preference, and it is recommended that you request a meeting with your manager to discuss your concerns and explore with the organisation if there is a way to accommodate your preference to work from home using telehealth. Some organisations have been able to make reasonable adjustments to work, to enable staff to work from home through telehealth, or come to another mutually agreeable arrangement.

If you are unable to come to an agreement with your manager, you may request to access your accrued annual leave entitlements or take leave without pay during this time due to your personal preference to isolate during the pandemic. For help understanding your leave entitlements, please [contact WorkPlacePLUS](#).

If you are feeling unwell or are required to self-isolate for medical reasons, or because you have been exposed to COVID-19, you must not attend work.

**As enforceable government directions are being made regularly, we encourage you to regularly check the links below for more information:**

## Australian Capital Territory

- [ACT Government - ACT Public health directions](#)
- [ACT Government - Business resource kit \(go to COVID safety plan guidelines\)](#)

## New South Wales

- [NSW Health - Public health orders](#)
- [NSW Government - COVID-19 Safety Plan](#)

## Northern Territory

- [Northern Territory Government - Chief Public Health Officer directions](#)
- [Northern Territory Government - COVID-19 Safety Plan checklist](#)

## Queensland

- [Queensland Health - Chief Health Officer public health directions](#)
- [Workplace Health and Safety Queensland - Work health and safety plan for COVID-19](#)
- [Queensland Government - COVID Safe checklists and factsheets](#)
- [Business Queensland - Industry COVID Safe plans](#)

## South Australia

- [Government of South Australia - Emergency Declarations and Directions](#)
- [Government of South Australia - COVID-Safe plan form](#)

#### Tasmania

- [Tasmanian Government - Coronavirus disease \(COVID-19\) Resources](#) (under the heading 'Current Directions')
- [WorkSafe Tasmania - COVID19 Safety plan templates and checklist](#)

#### Victoria

- [Victorian Department of Health and Human Services - Restriction levels](#)
- [Business Victoria - COVID-19 industry guidelines](#)

#### Western Australia

- [Western Australian Government - State of Emergency declarations](#)
- [Western Australian Government - Business tools and information](#)

### **2. Do I have to continue to see clients in their homes?**

Please refer to the response to question 1.

Further advice for in-home care workers is currently being reviewed. Please check for updates to the [in-home care workers information sheet](#).

### **3. I don't feel safe providing face-to-face services. Do I still have to come in to work?**

Your employer is obligated to provide a safe working environment. If your employer complies with [Workplace Health & Safety \(WHS\)](#) laws and have implemented [Government advice on control measures to minimise the spread of COVID-19](#), then **YES**, your manager can reasonably expect you to attend work.

If your employer is putting you at risk by failing to comply with WHS requirements or failing to implement a robust [infection control policy](#) and/or [COVID-safe plan](#), then you may have a reasonable right to refuse to attend work or to be sent home with full pay. For specific advice in this regard, please [contact WorkPlacePLUS](#).

If you hold genuine fears for your health and safety, it is recommended that you request an urgent meeting with your manager to discuss your concerns. If necessary, you can report non-compliance of WHS laws to [the WHS authority in your jurisdiction](#).

See also the response to question 1.

### **4. As far as I am aware, my workplace has not implemented an infection control policy or COVID-safe plan. What should I do?**

While infection control requirements may vary depending on your state or territory, all staff should be required to practice social distancing and good hygiene practices, which should be detailed in their [infection control policy](#) and/or [COVID-safe plan](#). If you are not aware of your workplace's infection control policy, or COVID-safe plan, you should request a copy from your manager.

By now, all employers should have operationalised their infection control and COVID-safe plans and provided regular communications and updates to their staff. If you believe that this has not occurred in your workplace, you should discuss your concerns with your manager.

Employers who need assistance creating or updating infection control or pandemic planning policies and documentation should [contact WorkPlacePLUS](#) for support.

### **5. Can my employer make COVID-19 vaccination a mandatory condition of my employment?**

Most likely **YES**.

The Fair Work Ombudsman (FWO) advises that “employers can direct their employees to be vaccinated if the direction is lawful and reasonable. Whether a direction is lawful and reasonable will be fact dependent and needs to be assessed on a case-by-case basis.” - [FWO](#)

An increasing number of Australian organisations across a range of sectors are now choosing to implement mandatory COVID-19 vaccination a new condition of employment (and/or on-site attendance).

State and territory governments have made and may continue to make public health orders requiring workers to be vaccinated against COVID-19 in their state or territory. Employers and workers must comply with any public health orders that apply to them. Allied health practitioners who are employees will need to comply with any lawful and reasonable directions by their employers. [Learn more >](#)

The Fair Work Ombudsman (FWO) also advises that it is likely to be reasonable for healthcare employers to mandate COVID-19 vaccinations for their client-facing or on-site workers, because employees are required to have close contact with people who are particularly vulnerable to the health impacts of COVID-19. This applies to the allied health sector.

#### **6. Where can I find information about the COVID-19 vaccines?**

The best place to start is here: <https://www.health.gov.au/initiatives-and-programs/covid-19-vaccines>

#### **7. Is my employer allowed to collect and store my vaccination records?**

If COVID-19 vaccination is a condition of your employment, then your employer will need to keep accurate, up-to-date staff vaccination records in accordance with their relevant HR protocols, including their employee records system and their infection control program.

Your employer will need to consider their privacy policy in relation to their handling of vaccination records. Privacy laws would prevent your employer from disclosing sensitive medical information such as vaccination status to any third party without your consent.

#### **8. What if I refuse to get vaccinated?**

It is important to discuss your concerns with your employer.

Your employment options may be limited if your employer takes steps to lawfully mandate COVID-19 vaccination in your workplace, or if a public health order requires you to be vaccinated. This already applies to healthcare workers in some jurisdictions. [Learn more >](#)

#### **9. I have tried to raise my concerns with my manager, but nothing has been resolved. What should I do?**

It is important that open communication is maintained so that all parties can work together to find the best solutions to any issues or concerns. If you require tailored support or further advice on how to manage discussions with your employer during the COVID-19 pandemic, please [contact WorkPlacePLUS](#).

#### **Conclusion:**

It is best practice for employers take a compassionate approach to resolving any concerns that their employees may have.

It is advisable to check the Fair work Ombudsman's website regularly for the most current general advice on [COVID-19 vaccinations: workplace rights and obligations](#).

It is important to remember that the advice provided in this document is general in nature. You simply cannot take this advice on board without considering the unique circumstances of your workplace – it is highly recommended that you [seek specific advice](#). Most importantly, allied health practice owners, practitioners and staff should always make clear, direct communication a priority.

*Anna Pannuzzo is the Director of WorkPlacePLUS. OTA members receive special member benefits with WorkPlacePLUS for support with HR & IR issues affecting your practice. For more information, contact Anna on (03) 9492 0958 or visit [www.WorkPlacePLUS.com.au](http://www.WorkPlacePLUS.com.au).*